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DATE October 9, 2003  
NAME Examiner M. Belyavskiy  
Group Art Unit 1644  
COMPANY U.S. Patent and Trademark Office  
FAX NUMBER 703/305-3014

FROM Robert A. Hodges, Reg. No. 41,074  
REFERENCE NO. Attorney Docker No. 05010.0087U1  
OUR FAX NUMBER 678-420-9301  
NUMBER OF PAGES 5

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In re Application of: WALLER et al ) Group Art Unit: 1644  
Application No. 09/945,339 ) Examiner: Belyavskiy, Michail A.  
Filing Date: August 31, 2001 ) Confirmation No. 1418

For: METHODS OF TRANSPLANTATION  
USING CHEMOTHERAPY-TREATED  
ALLOGENEIC CELLS THAT ENHANCE  
IMMUNE RESPONSE WITHOUT GRAFT  
VERSUS HOST DISEASE

Documents include:

- 1) Notice of Appeal (2 pages)
- 2) Request for Extension of Time (2 pages)
- 3) Credit Card Payment Form PTO-2038 (1 page)

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NO. 968 P. 2/6

PTO-2038 (02-2000)

Approved for use through 01/31/2003. OMB 0651-0043

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Credit Card Account #:	3785-202310-84006		
Credit Card Expiration Date:	August 2005		
Name as it Appears on Credit Card:	Lawrence K. Nodine		
Payment Amount: \$(US Dollars):	585.00		
Signature:	<i>Lawrence K. Nodine</i>		Date: 10/9/03
<small>Refund Policy: The Office may refund a fee paid by mistake or in excess of that required. A change of purpose after the payment of a fee will not entitle a party to a refund of such fee. The Office will not refund amounts of twenty-five dollars or less unless a refund is specifically requested, and will not notify the payor of such amounts (37 CFR 1.26). Refund of a fee paid by credit card will be via credit to the credit card account. Service Charge: There is a \$0.00 service charge for processing each payment refused (including a check returned "unpaid") or charged back by a financial institution (37 CFR 1.21(m)).</small>			
Credit Card Billing Address			
Street Address 1:	999 Peachtree Street		
Street Address 2:	Suite 1000		
City:	Atlanta		
State:	Georgia	Zip/Postal Code :	30309
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Daytime Phone #:	678-420-9300	Fax #:	678-420-9301
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Description of Request and Payment Information:			
<i>Notice of Appeal &amp; Three-month extension of time.</i>			
Patent Fee	Patent Maintenance Fee	Trademark Fee	Other Fee
Application No.	Application No.	Serial No.	IDON Customer No.
<i>09/945,339</i>			
Patent No.	Patent No.	Registration No.	
Attorney Docket No.		Identify or Describe Mark	
<i>05010-0087u1</i>			

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ATTORNEY DOCKET NO. 05010.0087U1

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of	)	
WALLER et al.	)	Art Unit: 1644
Application No. 09/945,339	)	Examiner: Belyavskiy, Michail A.
Filing Date: August 31, 2001	)	Confirmation No. 1418
For: METHODS OF TRANSPLANTATION	)	
USING CHEMOTHERAPY-TREATED	)	
ALLOGENEIC CELLS THAT ENHANCE	)	
IMMUNE RESPOSNE WITHOUT GRAFT	)	
VERSUS HOST DISEASE	)	

**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER  
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES**

**Via Facsimile Transmission 703/305-3014**

**ATTN: Examiner Belyavskiy**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

NEEDLE & ROSENBERG, P.C.  
Customer Number 23859

Dear Sir:

Applicant or patent owner hereby appeals under 37 C.F.R. §1.191 to the Board of Patent Appeals and Interferences from the decision of the Examiner dated April 9, 2003 finally rejecting claims 1- 6 and 15-20.

A Credit Card Payment Form PTO-2038 authorizing payment in the amount of \$585.00, representing \$420.00 for the fee for a small entity under 37 C.F.R. § 1.17(a), which is the difference between a one month Request for Extension of Time (\$55.00) filed and paid on August 11, 2003 along with a Response to Final Office Action, and the three-month Request for

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APPLICATION NO. 09/945,339

Extension of Time (\$475.00) filed herein, and \$165.00 for the fee for a small entity under 37 C.F.R. § 1.17(b). This amount is believed to be correct; however, the Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 14-0629.

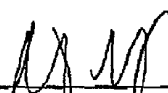
Respectfully submitted,

NEEDLE & ROSENBERG, P.C.

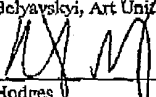
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Registration No. 41,074

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<u>CERTIFICATE OF FACSIMILE TRANSMISSION UNDER 37 C.F.R. § 1.8</u>	
I hereby certify that this correspondence, including any items indicated as attached or included, is being transmitted via facsimile transmission to: Examiner Behavskyi, Art Unit 1418, (703) 305-3014, on the date indicated below.	
 _____ Robert A. Hodges	_____ Date 10/9/03